IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF JUSTICE BILAL NAZKI

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 887 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/03/2005 in WP NO : 3759 OF 2005 on the file of the High Court.)

Between:

S. Suresh Kumar, S/o Bal Lingam,
H.No. 21-67-1, Maruthinagar, Achampet (V & M), Mahaboobnagar District.

..... APPELLANT

AND

1 The Joint Collector & EOED, A.P. State Civil Supplies Corporation Ltd, Mahaboobnagar .
2 The State Civil Supplies Corporation Ltd, Head Office at Civil Supplies Bhavan, H.No. 6-3-655/1/A, Somajiguda, Hyderbad, rep. by its District Manager, Mahaboobnagar District.

.....RESPONDENTS

Counsel for the Appellant : MR.P.ANILKUMAR REDDY

Counsel for the Respondents : MR.D.LINGA RAO

The Court made the following :

JUDGMENT : (Per Hon'ble Sri Bilal Nazki, ACJ)

Heard learned Counsel for the parties.

This is an appeal filed against the order of learned Single Judge passed in Writ Petition No.3759 of 2005. It appears that the writ petitioner had a contract with the respondents by which the petitioner had to lift the stocks from the M.L.S. point, Achampet and deliver the stock to the various Fair Price Shops in four Mandals of Achampet area as per the orders of concerned authorities. Admittedly the petitioner did not deliver the stocks at the M.L.S. point up to 3 p.m. on 05.11.2004. A show cause notice was issued, his explanation was called for and finally the contract was terminated.

The learned Single Judge dismissed the writ petition holding that there were questions of fact and contractual obligations of the respective parties involved in the matter and he declined to entertain the dispute regarding contractual obligations of the parties. We do not find any infirmity in the order passed by the learned Single Judge. Writ Appeal is accordingly dismissed. No order as to costs.

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BILAL NAZKI, ACJ

27th April 2005.

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Dr. G.YETHIRAJULU, J

ajr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Joint Collector & EOED, A.P. State Civil Supplies Corporation Ltd, Mahaboobnagar .
2 The District Manager, the State Civil Supplies Corporation Ltd, Mahaboobnagar

District, Head Office at Civil Supplies Bhavan, H.No. 6-3-655/1/A, Somajiguda,

Hyderbad.

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